

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION

JEWEL GRIFFIN

PLAINTIFF

V.

CIVIL ACTION NO. 3:21-CV-609-KHJ-MTP

CHRIS JACKSON

DEFENDANT

ORDER ADOPTING REPORT AND RECOMMENDATION

Before the Court is the Report and Recommendation of United States Magistrate Judge Michael T. Parker. [6]. That Report recommends the Court dismiss the action without prejudice for failure to prosecute pursuant to Federal Rule of Civil Procedure 41(b). Written objections to the Report were due by November 30, 2021. The Report notified the parties that failure to file written objections to the findings and recommendations by that date would bar further appeal in accordance with *Douglass v. United Servs Auto. Ass'n*, 79 F.3d 1415, 1428–29 and 28 U.S.C. § 636. *Id.*

When no party has objected to a magistrate judge's report and recommendation, the Court need not review it de novo. 28 U.S.C. § 636(b)(1) ("A judge of the court shall make a de novo determination of those portions of the report or specified proposed findings and recommendations to which objection is made."). In such cases, the Court applies the "clearly erroneous, abuse of discretion and contrary to law" standard of review. *United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir. 1989).

Plaintiff Jewel Griffin brings her civil action against Chris Jackson, relating to denial of medical services. On September 22, 2021, Griffin filed a motion for leave to proceed *in forma pauperis*. [2]. On September 28th, the Court ordered Griffin to file a completed long-form application by October 12th to verify her financial status. [3] at 1. The Order also required Griffin to amend her complaint to provide a clearer statement of claims, inclusion of the basis of jurisdiction, and Defendant's address. *Id.* at 2–3. By October 20th, Griffin had still not provided the requisite information, and the Magistrate Judge issued an order to show cause as to why the case should not be dismissed. [4]. Griffin did not reply by the November 3rd deadline. As a result, the Magistrate Judge found that Griffin failed to prosecute this case and failed to comply with the Court's orders. *See* [6]. The Magistrate Judge recommended that this Court dismiss the matter *sua sponte* without prejudice under Rule 41(b). *See* Fed. R. Civ. P 41(b); *Larson v. Scott*, 157 F.3d 1030, 1031 (5th Cir. 1998) (“A district court *sua sponte* may dismiss an action for failure to prosecute or to comply with any court order”). Griffin did not object to the Report and Recommendation. The Court finds that the Report and Recommendation is neither clearly erroneous nor contrary to law and should be adopted as the opinion of this Court.

IT IS, THEREFORE, ORDERED AND ADJUDGED that the Report and Recommendation [6] of United States Magistrate Judge Michael T. Parker, entered in this cause should be, and the same is, adopted as the finding of this Court.

IT IS, FURTHER, ORDERED AND ADJUDGED that this case be DISMISSED WITHOUT PREJUDICE.

A separate Final Judgment will issue this day.

SO ORDERED, this the 2nd day of December, 2021.

s/ *Kristi H. Johnson*
UNITED STATES DISTRICT JUDGE